



DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-897]

Large Diameter Welded Pipe from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review; 2021-2022

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that HiSteel Co., Ltd. (HiSteel) and the non-individually-examined companies for which a review was requested made sales of large diameter welded pipe (welded pipe) from the Republic of Korea (Korea) at prices below normal value (NV), while Hyundai Steel Company (Hyundai Steel) did not make sales of the subject merchandise at prices below NV during the period of review (POR), May 1, 2021, through April 30, 2022. We invite interested parties to comment on these preliminary results.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Alexis Cherry or Samantha Kinney, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0607 or (202) 482-2285, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 2, 2019, Commerce published the antidumping duty order on welded pipe from Korea.¹ On May 2, 2022, Commerce published a notice of opportunity to request an

¹ See *Large Diameter Welded Pipe from the Republic of Korea: Amended Final Affirmative Antidumping Determination and Antidumping Duty Order*, 84 FR 18767 (May 2, 2019) (*Order*).

administrative review of the *Order* for the POR.² Pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b)(1), Commerce received timely requests to conduct an administrative review of the *Order*. On May 31, 2022, the Domestic Interested Party³ filed a timely request for review with respect to 23 companies,⁴ and HiSteel, Hyundai Steel, Hyundai RB Co., Ltd (Hyundai RB), and SeAH Steel Corporation (SeAH) each individually timely requested reviews of their respective entries during the POR.⁵ On July 14, 2022, in accordance with 19 CFR 351.221(c)(1)(i), Commerce initiated an administrative review of the *Order* on 23 companies.⁶ On September 1, 2022, Commerce selected HiSteel and Hyundai Steel as the mandatory respondents in this review.⁷ On April 5, 2023, Commerce determined not to select a voluntary respondent and denied voluntary respondent treatment to SeAH.⁸

Pursuant to section 751(a)(3)(A) of the Act, on January 12, 2023, Commerce determined that it was not practicable to complete the preliminary results of this review within 245 days and extended the deadline for these preliminary results by 105 days, until May 16, 2023.⁹

For a detailed description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.¹⁰ The Preliminary Decision Memorandum is a public document and is available via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered

² *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 87 FR 25619 (May 2, 2022).

³ The Domestic Interested Party is the American Line Pipe Producers Association Trade Committee.

⁴ *See* Domestic Interested Party's Letter, "Request for Administrative Review," dated May 31, 2022.

⁵ *See* HiSteel's Letter, "Request for Administrative Review," dated May 31, 2022; Hyundai Steel's Letter, "Hyundai Steel's Request for Administrative Review," dated May 31, 2022; Hyundai RB's Letter, "Request for Administrative Review," dated May 31, 2022; and SeAH's Letter, "Request for Administrative Review," dated May 31, 2022.

⁶ *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 87 FR 42144 (July 14, 2022). The 23 companies are HiSteel, Hyundai Steel and the 21 non-selected companies listed in Appendix II.

⁷ *See* Memorandum, "Respondent Selection," dated September 1, 2022.

⁸ *See* Memorandum, "Whether to Select Voluntary Respondents," dated April 5, 2023.

⁹ *See* Memorandum, "Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review; 2021-2022," dated January 12, 2023.

¹⁰ *See* Memorandum, "Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review; 2021-2022: Large Diameter Welded Pipe from the Republic of Korea," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be found at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

Scope of the *Order*

The product covered by the *Order* is welded pipe from Korea. For a full description of the scope, *see* the Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum. A list of topics included in the Preliminary Decision Memorandum is included as Appendix I to this notice.

Rate for Non-Examined Companies

The statute and Commerce's regulations do not address the establishment of a weighted-average dumping margin to be determined for companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation, for guidance when determining the weighted-average dumping margin for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally "an amount equal to the weighted average of the estimated weighted average dumping margins established for exporters and producers individually investigated, excluding any zero and *de minimis* margins, and any margins determined entirely {on the basis of facts available}."

In this review, the preliminary weighted-average dumping margin for HiSteel is not zero, *de minimis*, or based entirely on facts otherwise available, whereas Hyundai Steel's preliminary weighted-average dumping margin is zero. Therefore, Commerce has preliminarily assigned a

weighted-average dumping margin to the non-examined companies that is equal to the weighted-average dumping margin for HiSteel in accordance with its practice.¹¹

Preliminary Results of the Review

We preliminarily determine that the following weighted-average dumping margins exist for the period May 1, 2020, through April 30, 2021:

| Exporter or Producer | Weighted-Average Dumping Margin (percent) |
|--------------------------------------|--|
| HiSteel Co., Ltd | 6.17 |
| Hyundai Steel Company | 0.00 |
| Non-Examined Companies ¹² | 6.17 |

Disclosure and Public Comment

We intend to disclose the calculations performed for these preliminary results to interested parties with an Administrative Protective Order within five days after the date of publication of these preliminary results.¹³

Pursuant to 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs no later than 30 days after the date of publication of this notice.¹⁴ Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.¹⁵ Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹⁶ Executive summaries should be limited to five pages total, including footnotes.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS, within 30 days after the date of publication of this notice. Requests

¹¹ See, e.g., *Certain Corrosion-Resistant Steel Products from Taiwan: Final Results of the Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018-1019*, 86 FR 28554, 28555 (May 27, 2021).

¹² See Appendix II.

¹³ See 19 CFR 351.224(b).

¹⁴ See also 19 CFR 351.303 (for general filing requirements).

¹⁵ See 19 CFR 351.309(d); see also *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020); and *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020) (*Temporary Rule*).

¹⁶ See 19 CFR 351.309(c)(2) and (d)(2).

should contain: (1) the party's name, address, and telephone number; (2) the number of participants; (3) whether any participant is a foreign national; and (4) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.

All briefs and hearing requests must be filed electronically using ACCESS¹⁷ and must be served on interested parties.¹⁸ An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.¹⁹

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce intends to determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise covered by this review. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this administrative review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

For an individually examined respondent whose weighted-average dumping margin is not zero or *de minimis* (*i.e.*, less than 0.50 percent), upon completion of the final results, Commerce intends to calculate importer-specific antidumping duty assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales

¹⁷ See 19 CFR 351.303.

¹⁸ See 19 CFR 351.303(f).

¹⁹ See *Temporary Rule*, 85 FR at 41363.

to the total entered value of those sales.²⁰ Where we do not have entered values for all U.S. sales to a particular importer, we will calculate an importer-specific, per-unit assessment rate on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales to the total quantity of those sales. To determine whether an importer-specific, per-unit assessment rate is *de minimis*, in accordance with 19 CFR 351.106(c)(2), we also will calculate an importer-specific *ad valorem* ratio based on estimated entered values. Where either a respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we intend to instruct CBP to liquidate appropriate entries without regard to antidumping duties.²¹

For entries of subject merchandise during the POR produced by each individually examined respondent for which it did not know its merchandise was destined for the United States, we intend to instruct CBP to liquidate such entries at the all-others rate (*i.e.*, 7.08 percent)²² if there is no rate for the intermediate company(ies) involved in the transaction.²³

For the companies which were not selected for individual examination, we intend to assign an antidumping duty assessment rate equal to the weighted-average dumping margin determined for the non-examined companies in the final results of review.

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future cash deposits of estimated antidumping duties, where applicable.²⁴

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication

²⁰ See 19 CFR 351.212(b)(1).

²¹ See 19 CFR 351.106(c)(2); see also *Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification*, 77 FR 8101, 8103 (February 14, 2012).

²² See *Order*, 84 FR at 18768.

²³ See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

²⁴ See section 751(a)(2)(C) of the Act.

date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated exporters not covered in this review, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which the company was reviewed; (3) if the exporter is not a firm covered in this review, a prior completed review, or the less-than-fair value (LTFV) investigation, but the producer is, then the cash deposit rate will be the company-specific rate established for the most recently-completed segment of this proceeding for the producer of subject merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 7.08 percent, the all-others rate established in the LTFV investigation.²⁵

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of the Review

Commerce intends to issue the final results of this administrative review, including the results of our analysis of issues raised by the parties in the written comments, within 120 days of publication of these preliminary results in the *Federal Register*, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1), unless this deadline is extended.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping and/or countervailing duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of

²⁵ See *Order*, 84 FR at 18768.

antidumping and/or countervailing duties occurred and the subsequent assessment of double antidumping duties, and/or an increase in the amount of antidumping duties by the amount of the countervailing duties.

Notification to Interested Parties

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(h)(2) and 351.221(b)(4).

Dated: May 16, 2023.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Discussion of the Methodology
- V. Currency Conversion
- VI. Recommendation

Appendix II

Review-Specific Average Rate Applicable to Companies Not Selected for Individual Review

1. AJU Besteel Co., Ltd.
2. Chang Won Bending Co., Ltd.
3. Daiduck Piping Co., Ltd.
4. Dong Yang Steel Pipe Co., Ltd.
5. Dongbu Incheon Steel Co., Ltd.
6. EEW KHPC Co., Ltd.
7. EEW Korea Co., Ltd.
8. Geumok Tech. Co. Ltd.
9. Hansol Metal Co. Ltd.
10. Husteel Co., Ltd.
11. Hyundai RB Co., Ltd.
12. Il Jin Nts Co. Ltd.
13. Kiduck Industries Co., Ltd.
14. Kum Kang Kind. Co., Ltd.
15. Kumsoo Connecting Co., Ltd.
16. Nexteel Co., Ltd.
17. SeAH Steel Corporation
18. Seonghwa Industrial Co., Ltd.
19. SIN-E B&P Co., Ltd.
20. Steel Flower Co., Ltd.
21. WELTECH Co., Ltd.

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